

DONNA TAMANAHA, Assistant U.S. Trustee (WI#1013199)
PATRICIA A. CUTLER, Trial Attorney (#50352)
U.S. Department of Justice
Office of the United States Trustee
235 Pine Street, Suite 700
San Francisco, CA 94104-3484
Telephone: (415) 705-3333
Facsimile: (415) 705-3379
Email: patricia.cutler@usdoj.gov

Attorneys for Acting United States Trustee
AUGUST B. LANDIS

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re)	No. 10-12974 AJ7
)	
CHARELS AND KIMBERLY VELEY)	Chapter 7
)	
)	
)	
Debtors.)	

**DECLARATION OF DONNA JENSEN IN
SUPPORT OF DISMISSAL OF CASE**

_____, I, Donna Jensen, declare as follows:

1. I am employed as an Paralegal in the Office of the United States Trustee, Region 17, San Francisco Division, 235 Pine Street, Suite 700, San Francisco, California 94104. The Office of the United States Trustee represents August B. Landis, United States Trustee for Region 17.

2. I make this declaration based on my own personal knowledge of the facts, and if called upon, could and would testify hereto. I make this declaration under penalty of perjury.

3. On October 13, 2010, the Office of the United States Trustee served a Notice And Opportunity For Hearing On Stipulation For Dismissal Of Case. The Notice was served on all creditors, A true and correct copy of the Notice and Proof of Service are attached hereto as Exhibit "A."

4. No creditor or other party in interest appeared in response to the notice or objected to dismissal. Wherefor entry of an order dismissing this case is appropriate.

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1 I declare under penalty of perjury that the foregoing is true and correct this 9th day of November,
2 2010, San Francisco, California.

3 /s/ Donna Jensen
4 Donna Jensen

DONNA S. TAMANAHA, Assistant U.S. Trustee (WI#1013199)
 PATRICIA A. CUTLER, Trial Attorney (#50352)
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Attorneys for Acting United States Trustee
 AUGUST B. LANDIS

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

In re)	Case No. 10-12974
)	
CHARLES VELEY AND)	
KIMBERLY VELEY,)	Chapter 7
)	
Debtors.)	

**NOTICE AND OPPORTUNITY FOR HEARING ON STIPULATION
 FOR DISMISSAL OF CASE**

PLEASE TAKE NOTICE that the Acting United States Trustee, August B. Landis, alleges that Debtors' case constitutes an abuse under 11 U.S.C. § 707(b)(2) and (b)(3) and should be dismissed. Debtors dispute the UST's position but do not wish to expend the resources contesting the allegations. The UST and Debtors Charles and Kimberly Veley have agreed to seek dismissal on notice to creditors.

You may request a copy of the pleadings by contacting the undersigned. As set forth below, if you object to the extension of time, you must timely file a written objection in accordance with Bankruptcy Local Rule 9014-1.

Bankruptcy Local Rule 9014-1 of the United States Bankruptcy Court for the Northern District of California prescribes the procedures to be followed on this motion. Any objection to the requested relief, or a request for hearing on the matter must be filed and served upon the initiating party within 20 days of mailing of the notice; a request for hearing or objection must be accompanied by any declarations or memoranda of law the party objecting or requesting wishes to present in support of its position; if there is not a timely objection to the requested relief or a request for hearing, the court may enter an order granting the relief by default; the United States Trustee will give at least 10 days written notice of hearing to the objecting or requesting party, and to any trustee or committee appointed in the case, in the event an objection or request for hearing is timely made.

Date: October 13, 2010

August B. Landis, Acting U.S. Trustee,

/s/ Patricia A. Cutler, #50352

Patricia A. Cutler

Attorney for United States Trustee

NOTICE & OPP. FOR HRG. ON STIPULATION TO DISMISS CASE:

- 1 -

DONNA S. TAMANAHA, Assistant U.S. Trustee (WI#1013199)
PATRICIA A. CUTLER, Trial Attorney (#50352)
U.S. Department of Justice
Office of the United States Trustee
235 Pine Street, Suite 700
San Francisco, CA 94104
Telephone: (415) 705-3333
Facsimile: (415) 705-3379

Attorneys for Acting United States Trustee
AUGUST B. LANDIS

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re) No. 10-12974AJ
)
) Chapter 7
CHARLES AND KIMBERLY VELEY,)
)
)
Debtors.)
)
)
_____)

CERTIFICATE OF SERVICE

I, the undersigned, state that I am employed in the City and County of San Francisco, State of California, in the Office of the United States Trustee, at whose direction the service was made; that I am over the age of eighteen years and not a party to the within action; that my business address is 235 Pine Street, Suite 700, San Francisco, California 94104, that on the date set out below, I served a copy of this certificate of service together with the attached

NOTICE AND OPPORTUNITY FOR HEARING ON STIPULATION FOR DISMISSAL OF CASE

upon each party listed below by placing such a copy, enclosed in a sealed envelope, with prepaid postage thereon, in the United States mail at San Francisco, California, addressed as follows:

Debtors
Charles Veley
1 Harbor Point Drive #203
Mill Valley, CA 94941

Kimberly M. Veley
166 Bella Vista Avenue
Belvedere, CA 94920

Debtor's Counsel
Joan M. Chipser
Law Office of Joan M. Chipser
1 Green Hills Court
Millbrae, CA 94030

Chapter 7 Trustee
Timothy W. Hoffman
P.O. Box 1761
Sebastopol, CA 95473

I also served the following document, in the same manner, upon the parties listed on the attached service list:

NOTICE AND OPPORTUNITY FOR HEARING ON STIPULATION FOR DISMISSAL OF CASE

I declare under penalty of perjury that the foregoing is true and correct. Executed at San Francisco, California on October 13, 2010.

By: /s/
Donna Jensen

Label Matrix for local noticing
0971-1
Case 10-12974
Northern District of California
Santa Rosa
Wed Oct 13 13:45:03 PDT 2010

Banana Republic
P.O. Box 981064
El Paso, TX 79998-1064

CA Employment Development Dept.
Bankruptcy Group MIC 92E
P.O. Box 826880
Sacramento, CA 94280-0001

Capital One
P.O. Box 30285
Salt Lake City, UT 84130-0285

Eugene Chang
Law Offices of Stein and Lubin
600 Montgomery St. 14th Fl.
San Francisco, CA 94111-2716

Chase
P.O. Box 15298
Wilmington, DE 19850-5298

Joan Chipser
1 Green Hills Court
Millbrae, CA 94030-1773

Joan M. Chipser
Law Offices of Joan M. Chipser
1 Green Hills Court
Millbrae, CA 94030-1773

Citi Bank
Customer Service
P.O. Box 6000
The Lakes, NV 89163-0001

Citibank
Citibank Customer Service Center
Box 6000
The Lakes, NV 89163-0001

Citibank Client Services
Citi Inquiries
100 Citibank Drive
San Antonio, TX 78245-3202

Patricia A. Cutler
Office of the U.S. Trustee
235 Pine St.
Suite 700
San Francisco, CA 94104-2736

David & Cynthia Gilbert
C/O Tiburon Land Company
P.O. Box 1009 10 Beach Road
Tiburon, CA 94920-4009

Franchise Tax Board
Bankruptcy Group
P.O. Box 2952
Sacramento, CA 95812-2952

Franchise Tax Board
Special Procedures Bankruptcy Unit
P.O. Box 2952
Sacramento, CA 95812-2952

GE Money Bank
Attn: Bankruptcy Dept
P.O. Box 103104
Roswell, GA 30076-9104

Timothy W. Hoffman
P.O. Box 1761
Sebastopol, CA 95473-1761

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 21126
PHILADELPHIA PA 19114-0326

Kimberly M. Veley
166 Bella Vista Avenue
Belvedere, CA 94920-2466

(p)TOYOTA MOTOR CREDIT CORPORATION
PO BOX 8026
CEDAR RAPIDS IA 52408-8026

Macys
P.O. Box 689195
Des Moines, IA 50368-9195

Marin Land Development Co
2 Harbor Point Drive
Mill Valley, CA 94941-3250

Neiman Marcus
Customer Service
P.O. Box 729080
Dallas, TX 75372-9080

Nordstrom
P.O. Box 6555
Englewood, CO 80155-6555

Office of the U.S. Trustee / SR
235 Pine Street
Suite 700
San Francisco, CA 94104-2736

Principal Financial Group
P.O. Box 9394
Des Moines, IA 50306-9394

Robert A. Chong & Gregory Chong DDS
350 Parnasus Avenue
Ste 403
San Francisco, CA 94117-3608

Ronald P. Albert
Attorney At Law
66 George Lane Ste 101
Sausalito, CA 94965-1890

The Presidio Trust
c/o Eugene Chang
Stein & Lubin LLP
600 Montgomery Street, 14th Floor
San Francisco, CA 94111-2716

The Presidio Trust
Attn: Assistant Controller
34 Graham St P.O. Box 29052
San Francisco, CA 94129-0052

U.S. Attorney
Civil Division
450 Golden Gate Ave.
San Francisco, CA 94102-3661

Charles A Velez
1 Harbor Point Drive
#203
Mill Valley, CA 94941-3246

EXHIBIT A

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Internal Revenue Service
Centralized Insolvency Operations
P.O. Box 21126
Philadelphia, PA 19114-0326

Lexus Financial Services
P.O. Box 60116
City Of Industry, CA 91716-0116

(d)Toyota Financial Services
P.O. Box 22202
Owings Mills, MD 21117-1397

(d)Toyota Financial Services
P.O. Box 22202
Owings Mills, MD 21117-1397

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Alan Jaroslovsky

(d)Kimberly M Velez
166 Bella Vista Avenue
Belvedere, CA 94920-2466

End of Label Matrix	
Mailable recipients	31
Bypassed recipients	2
Total	33